

From: David Phillips
To: Microsoft ATR
Date: 1/25/02 9:51am
Subject: Microsoft Settlement

Thw attached has been faxed to AG Ashcroft's office.

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Maranatha & Associates, Inc.

January 24, 2002

Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear AG Ashcroft:

Microsoft had been responsible for some business practices that could be construed by others as anti-competitive. Whether this had actually been over the point of legality or not is, in my opinion, an open question. There are many examples of other IT companies that have--and still do--exert this kind of anti-competitive behavior who have not been as visible as has Microsoft, or for whatever reason have remained closer to the political mainstream.

Nevertheless, it is far better that this litigation has ended with a settlement. The terms of the settlement address the main points of the original lawsuit, such as the problems of retaliatory action and allegedly unfair licensing. Settling the lawsuit has the advantage of causing less disruption in the IT industry than would have resulted in Microsoft had been broken up.

For this reason, I support the settlement, though I remain skeptical that the original suit should ever have been brought originally.

Sincerely,

David Phillips
President